

# Work and Working Condition of Women Employed in Ready-Made Garment Industry of Bangladesh

কর্মজীবী নারী  
KARMOJIBI NARI





**Work and Working Condition of Women Employed in Ready-Made  
Garment Industry of Bangladesh**

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Advisors:       Rokeya Rafique  
                  Sunzida Sultana

Authors:        Jakir Hossain  
                  Mostafiz Ahmed

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Karmojibi Nari  
Green Avenue Park  
House- 01, Apt- 8B, Road- 03, Block- A, Section- 06  
Mirpur, Dhaka- 1216

Tel: 02- 58051545

Fax: 02- 58051546

Email: [karmojibing1@gmail.com](mailto:karmojibing1@gmail.com)

[www.karmojibinari.org](http://www.karmojibinari.org)

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## Acknowledgement

Karmojibi Nari, starting its journey on 1<sup>st</sup> of May, 1991—the International Labour day—twenty-eight years ago, is still marching towards ensuring women rights, dignity, power and authority. Over the years, KN organized formal and informal sectors' workers especially the women workers. At the same time KN worked to empower and strengthen the leadership capacity of the women workers by advocating with concerned authorities to harmonize the existing regulations, amend and/or enact new ones and to ensure effective implementation of the laws for the wellbeing of workers.

Besides organizing the women and women workers, building women's leadership capacity and involving them in various social development movements. Karmojibi Nari also conducts research and analysis on women workers issues that affect their lives and livelihood. As part of monitoring work and workplace issues of women workers, KN has recently carried out a research on Work and Working Condition of Women Employed in Ready-Made Garment Industry of Bangladesh. The report is a quantitative survey of 3014 RMG women workers representing 327 factories. It explores the status of work and working condition of women employed in RMG sector in Bangladesh from to prepare a set of recommendations for improving the work and working condition for women RMG workers.

I appreciate the tasks carried out for the research and the roles played by the Lead Researcher—Dr. Jakir Hossain, Professor, University of Rajshahi, and Co-researcher—Mostafiz Ahmed, Associate Professor, Jagannath University along with the research team members, many of whom are KN staffs. My heartiest thanks go to all of the participants, mainly to the women workers for sharing their life experiences with the research team members. Their spontaneous support was helpful to find out the insights we are looking for. I am thankful to our friends and allies in the study area, without their support the data enumerators couldn't do data collection safely and properly especially in late evening and also at night—after RMG factory closing hours. I want to give credit to data enumerators, field supervisors and data entry operators to carry out troublesome research tasks with full integrity. I am also grateful to the Research Coordinator, and Director (Programs), Karmojibi Nari for facilitating the whole process of data collection, and preparation of Fact Sheets and the Research Report. My appreciation goes to all the resource persons who provided valuable inputs and shared their insights in two of the sharing meetings organized as part of research work.

This research work was supported by International Women Rights Action Watch- Asia Pacific (IWRAP) and funded by Women's Fund Asia. I am extremely grateful to IWRAP and Women's Fund Asia for supporting such an important study which is currently being used not only as further references but also as advocacy tool for the advancement of women worker's rights.

May, 2019

**Rokeya Rafique**  
Executive Director, Karmojibi Nari

## Research Team

Lead Researcher	Jakir Hossain
Co- researcher	Mustafiz Ahmed
Research Coordinator	Farhana Afrin Tithi
Field Supervisors	Md. Mominur Rahman Jesmin Juy
Data Enumerators	Kazi Gulshan Ara Rabita Islam Rabea Akhter Shekh Shahnaz Sunzida Islam Antara Nargis Akhter Salma Akhter Sharmin Akhter Nadia Akhter Layzu Sayma Khatun Sultana Shumi Momtaz Begum Dilshad Shahana

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## **Abbreviations**

BLA	Bangladesh Labour Act
EC	European Commission
ILO	International Labour Organization
JSC	Junior School Certificate
OSH	Occupational Health and Safety
RMG	Ready Made Garment
TU	Trade Union
UN	United Nations
UNICEF	The United Nations Children's Fund



## Executive Summary

Women workers of Bangladesh's ready-made garment (RMG) industry are plagued with various problems relating to their work and working environment. The main objective of this study is twofold—i) to explore and document the status of working condition of women employed in RMG sector in Bangladesh; and ii) to prepare a set of recommendations for improving their working condition. The study employed quantitative approach. A questionnaire survey was carried out on 3014 garment workers from 327 factories selected randomly from different zones of Dhaka, Narayanganj, and Gazipur. Respondents of those factories were chosen purposively based on availability, accessibility, and their willingness to give answer.

### ***Women workers' socio-economic profile***

Women workers are mostly young—86% workers are within the range of 18-30 years. Only 9 % women workers are over 30 years of age. Primary level education is the most common among these workers—45% are educated up to primary level. The average family size of women workers is 4.57, slightly larger than country's national average (4.04). Majority (53%) belong to families comprised of 4 to 5 members. Workers' families have on an average 2.43 dependent members and 2.35 income earners.

### ***Work and Workplace Related Information***

Majority (51%) of the women works in woven factories. On the other hand, 35 % and 14% respectively work in knit and composite factories. Average work experience in RMG sector is not so long, 4.96 years. Only 8% workers have more than ten years of working experience in RMG sector. At the current/present factory, the average work experience of the workers is 2.84 years. Majority (62%) of the women have experience of work in multiple factories. The most general reason behind factory change is to improve their position and wage.

### ***Working Conditions of the Factories***

**Employment Contract:** Among several employment contract related provisions service book is the least implemented, and in contrast, attendance card and identity card is the most implemented. 36.3% women workers do not have appointment letter; 15.3% are without identity card; and 81.5% do not have service book. On the other hand, 84.1% workers have attendance card.

#### ***Wage and benefits***

Wages and overtime are paid regularly for most workers (79%). However, 21% women workers report that wage and overtime is kept due—often or always. In preceding month of this survey average personal income, including the income from overtime, was BDT9972.43. Although a significant part of personal income comes from overtime payment, knowledge among the women workers about calculation of overtime compensation is poor. 55% women do not know the calculation method of overtime. Also, nearly half (45%) do not get due (and timely) festival bonus.

### ***Working hour, leave and rest***

Regarding working hour violation of national legal provisions and international norms is widely marked. Average working hour is 10.37 hours. As evident, 34% of workers work beyond the legal limit – 10 hours. In fact, 92% of workers do overtime work. This overtime is hardly for the choice of the workers; rather mandatory. Only 13% workers claimed that they are never forced to overtime hours. Night duty is mandatory for over one-third of the women workers (34%). However, largest segment (55.1%) of the workers claim that employers never take written consent from them for night duty. Many workers (35%) even are not aware regarding practice of taking written consent.

Over nine in ten workers do not get rest during working hours except the lunch break which is often not for a full hour. There is wide variation of in practice of leave provisions. 99% women claimed to have received weekly holidays. 74% workers get casual leave; 94% get festival leave; 79% workers get maternity leave; and 79% workers get sick leave, however many claim that it is not paid leave. 36% workers get annual leave, although many of them informed that they are paid money instead of leave.

### ***Safety at Work***

Workers engaged in garment sector are prone to various types of occupational risks and accidents. However, one in every four workers (25%) claims that their employers do not inform workers regarding risks at workplace. 41% workers have experience observing some sort of accidents, minor to major, that took place either for her or to other peers.

In terms of ensuring workplace safety, most workplaces have made available different facilities/arrangement. However, it also true that still some factories have not made sufficient arrangement— about 8% percent workers' workplaces do not have emergency exits; 16% workers' do not get risk prevention training; about 18% workplaces do not arrange fire drill. 14% workers have informed that employers had not formed safety committees; and 21% workers do not know whether safety committees exist at workplaces.

### ***Workplace environment***

Respondents of this study have diverse opinion on condition of different factors e.g., cleanliness, sound, temperature, ventilation, lighting, dust and fumes, humidity, working space, sitting arrangement, and availability of safe drinking water and gender segregated washroom that the workplace environment entails. The largest segment of the workers in each case perceives that the conditions of various factors are good except for sound. The biggest proportion of respondents considers condition of sound is moderate.

### ***Workplace harassment and discrimination***

Women workers experience different forms of harassment of which verbal abuse/harassment is the most common one. Nearly three in every four women workers (72%) reported verbal harassment. Nearly two-third (62%) women talked about psychological harassment. Physical and sexual harassment have been reported respectively by 21% and about 14% workers. Workers' responses against the harassment/violences include both individual protest (29%) and collective protest (18%). On the other hand 36% women do not protest as they accept the harassment as their fate. Important to note, majority women (73%) either do not know whether anti-harassment committee exists at their respective workplaces or confirm that such committees do not exist.

73% workers have reported discriminatory practice with regard to promotion of women in upper position; whereas 24% are not aware of the issue. Besides, regarding transport facility at night, 69% workers claim that employers do not provide this facility, and 28% have no idea in this regard.

### ***Welfare provisions at workplaces***

Welfare provisions are available at varied degree at the workplaces and gender sensitive issues are also not realized always. 79%, 60%, and 72% women reported respectively the availability of first aid, canteen, and separate place for lunch. Only little over 1% workers claimed availability of accommodation facility. 48% notice unavailability of recreation facility. Day-care is absent at workplaces of 44% workers. Breast-feeding corner is available at 34% workplaces. 32% claimed to have special treatment (e.g. work-break, reduced work load, supply of medicine) during pregnancy. Majority (60%) of the women report that they do not get any special treatment/facility during the menstruation. 20% women claim that at their workplaces employers have not arranged female doctors.

### ***Social protection measures***

Women workers are mostly deprived of social protection related facilities at workplace. High prevalence of ignorance/unawareness among workers concerning the social protection facilities is a striking feature in this regard. Provident fund is absent at workplaces of two-third (52%) workers, and 35% are not aware in this regard. 53% workers have reported absence of health and life insurance facility. 47% workers report the unavailability of group insurance; and 52% do not know whether the facility is available. 45% workers claim the unavailability of accident insurance; and 47% are unaware.

About 59% claim that gratuity is given; 22% are unaware in this regard. 39% claim that compensation is not given; 33% are not aware. Most available social welfare measure is maternity leave with pay (71%), although with varied rate of pay calculation.

### ***Workers' organization at workplace***

Workers' organization/committees of different forms are available at workplaces of 67% workers. 16% workers lack awareness regarding the availability of organization/association. Among different committee/associations OSH/safety committee is the most frequent (57%), followed by participation committee (55%). In contrast, trade unions are least available workers' association (6%). Nonetheless, women workers mostly are not members of the organization/committees available at workplaces. Only 16% of workers have claimed to be associated with any of these workers' associations.

### ***Advocacy Pointers***

***Strengthening labour regulation by making it more women-friendly:*** The labour law in particular should address the issues of sexual harassment, night duty, length of maternity leave, special treatment during menstruation, and proportional representation.

***Workplace with explicit promotion/ up-gradation policy:*** Workplace should have appropriate policies that would show the career path to the women workers.

***Formation of anti-harassment committee:*** Effective anti-harassment committee with appropriate representation of women workers should be formed at every workplace.

***Increasing rights awareness among workers:*** Making women workers aware on overtime calculation, consent for night duty, workers' organization, and safety committee ultimately will make them capable to claim their rights as well as achieve decent workplace.

***Establishing decent work thresholds and strong social protection measures:*** Decent minimum (living) wage thresholds, and employment and accident insurance need to be established.

***Holding employers responsible for workers:*** Being the authority of the workplaces employers cannot avoid/ignore the responsibility. Responsibility must be upheld for violations of standards and devising strategies for evading legal obligations.

***Ensuring enforcement of law:*** Pro-active "investigation driven" enforcement rather than reacting to complaints (as in fire-brigade approach) should be introduced.



# 1. Introduction

## *Background*

Bangladesh's ready-made garment (RMG) industry has been playing a significant role in economy by earning lion's share of export income (81.23 %) and creating jobs for millions of people. RMG directly employs 4.2 million people (EC 2016)– of whom majority is women.<sup>1</sup> Women RMG workers are plagued with various problems (e.g insufficient wage, irregularity in timeliness of wage payments, unsafe working conditions). More Specifically, women workers have many issues that need to care specially in areas of work place discrimination and career prospect, harassment, work and working time including rest, occupation health and safety, welfare provision, social protection and freedom of association, collective bargaining and social dialogue. Although gender-based wage discrimination is not seen that much now a day, discrimination exists in areas of equal treatment— women are forced to do overtime more than the men and the cut from the overtime allowance is more for women workers than men. Women workers face severe discrimination with regard to the scope of promotion and their career prospect is limited. A study shows that only 5-10 % of the women workers to become supervisors (The Daily Star, March 8, 2015). Women workers' workplaces are not free from sexual harassment that ranges from simple insults and demeaning remark to unwelcome touching and grabbing.

Despite legal provision there is still variation in practicing maternity leave –there are factories that violate the provision in different ways e.g. leave without payment, payment for fewer months than the stipulated months mentioned in law. Few RMG workers get the day care and in many garment factories, mothers do not have space or time to breastfeed (UNICEF 2015). Workplaces of these workers are not gender sensitive— there are insufficient numbers of toilets for women; no arrangement of sanitary napkins at workplace; and most of the factories also do not arrange women doctors. Besides, disproportionate representation of women workers in different channels of negotiation and bargaining (e.g. TU, participation committee, safety committee, welfare committee, and canteen management committee) is also widely marked.

Bangladesh is signatory of UN Convention on the Elimination of All Forms of Discrimination against Women. Following the eighth periodic report of Bangladesh the Committee on the Elimination of Discrimination against Women recommends that the State party: (a) Take effective measures to monitor and improve the working conditions of women in the informal and private sectors by ensuring regular labour inspections and social protection coverage; (b) Address the gender wage gap by applying gender-neutral analytical job classification, evaluation methods and regular pay surveys and establishing effective monitoring and regulatory mechanisms for employment and recruitment

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<sup>1</sup>It has been widely understood, though based on limited data, that women made up around 80 per cent of the labour force of the garment industries. Recent data, however, shows a much lower percentage. A 2015 survey by Asian Centre for Development reported that 65 per cent of workers in the RMG sector were women. The study by EC (EC 2016) puts the number at 55 per cent. In the factories under the ILO RMG programme (Better Work Bangladesh), it was found that 58 per cent of the labour force consisted of women



practices; (c) Regulate and monitor the working conditions of women employed in the garment sector, in order to protect them from unsafe labour conditions, through regular inspections and increased fines for abusive employers; (d) remove all obstacles to the establishment of trade unions, especially for women employed in the agricultural sector; (e) Adopt and implement specific legislation concerning the protection of women from sexual harassment in the workplace in accordance with the High Court Division guidelines.

## **Objective**

Present study is an endeavor to unearth the prevailing situation of women workers of garment sector in terms of their working condition. The findings of this study would be instrumental to recommend policy options to improve the condition. The main objective of this study is twofold:

- To explore and document the status of working condition of women employed in RMG sector in Bangladesh; and
- Prepare a set of recommendations that would be placed before the government for improving the working condition for women RMG worker.

## **Methodology**

This study employs quantitative approach. The study team has carried out questionnaire survey to collect necessary information. A set of sample survey questionnaire was prepared and administered to collect data from 3014 garment workers from 327 factories located in Dhaka, Narayanganj, and Gazipur. Factories were selected randomly from different zones of Dhaka and respondents of those factories were chosen purposively based on availability, accessibility, and their willingness to give answer (Table 1.1).

**Table 1.1: Sample distribution**

Area	Specific locations	Number of factories	Respondents	
			Number	Percent
Dhaka	Mirpur-13, Kafrul, Vasantek, Kochukhet, Pallabi, Mirpur- 1, Shah Ali, Darus Salam, Rupnagar, Savar, Ashulia, DEPZ, Tejgaon, and Mohakhali, Uttara, Rampura, Badda	164	1512	50.2
Narayanganj	Kanchpur, Futulla, Chittagong Road	78	741	24.6
Gazipur	Tongi, Kashimpur, Konabari, Kaliakoir, Mouchak, Shofipur, Maleker Bari	85	761	25.2
Total		327	3014	100.0

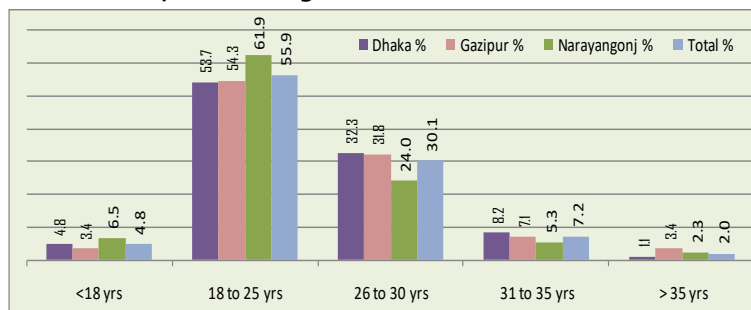
## 2. State of Work and Working Conditions

### Women workers' socio-economic profile

#### Age of women workers:

Women workers are mostly young. The mean age of these workers is 24.8 years. 86% workers are within the range of 18-30 years. Only 9 % women workers are over 30 years of age. Women workers of less than 18 years are 5% (Chart 2.1).

Chart 2.1: Respondents' Age Distribution

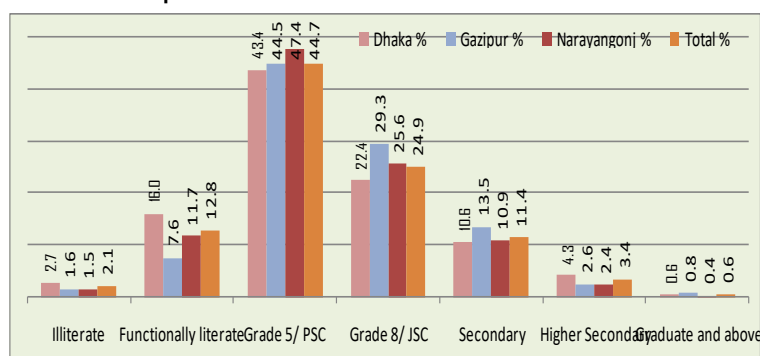


Source: Field Survey 2018-19

#### Education:

Primary level education is the most common among women workers. 45% women workers are educated up to primary level. 25% workers have JSC level education, and 11% have secondary level education. 13% women worker of RMG can sign only (Chart 2.2).

Chart 2.2: Respondents' Education Status



Source: Field Survey 2018-19

#### Number of family members:

The average family size of women workers is 4.57, slightly larger than country's national average (4.04). Majority (53%) of the women workers belong to families comprised of 4 to 5 members. 25% women have reported families of six and more members; and 23% have families have less than four members in their family (Table 2.1).

Table 2.1: Number of Family Member of Respondents

Number of family members	Dhaka		Gazipur		Narayanganj		Total	
	N	%	N	%	N	%	N	%
Single member	12	0.8	12	1.6	9	1.2	33	1.1
Two to three members	336	22.2	179	23.5	136	18.4	651	21.6
Four to five members	770	50.9	404	53.1	411	55.5	1585	52.6
Six to eight members	380	25.1	165	21.7	185	25.0	730	24.2
Above eight members	14	0.9	1	0.1	0	0.0	15	0.5
Total	1512	100.0	761	100.0	741	100.0	3014	100.0

Source: Field Survey 2018-19

### Dependent member in family:

Workers' families have on an average 2.43 dependent members. However, the largest segment (35%) of the workers has two dependent members followed by three members (26%). 13% workers have four or more dependent members Table 2.2).

**Table 2.2: Dependent Members in Respondents' Family**

Number of dependent family members	Dhaka		Gazipur		Narayanganj		Total	
	N	%	N	%	N	%	N	%
Single	259	17.1	120	15.8	154	20.8	533	17.7
Two	501	33.1	274	36.0	277	37.4	1052	34.9
Three	2	0.1	0	0.0	0	0.0	2	0.1
Four	396	26.2	207	27.2	181	24.4	784	26.0
Five	191	12.6	55	7.2	59	8.0	305	10.1
Six	38	2.5	21	2.8	9	1.2	68	2.3
Above six	22	1.5	7	0.9	3	0.4	32	1.1
No dependent members	103	6.8	77	10.1	58	7.8	238	7.9
Total	1512	100	761	100	741	100	3014	100

Source: Field Survey 2018-19

### Earning member in family:

On an average, workers' family has 2.35 income earners. Majority (63%) of the workers has two earning members and 21% have three income earners. More than three income earners have been found in families of 9% workers (Table 2.3).

**Table 2.3: Earning Members of Respondents Family**

Number of earning family members	Dhaka		Gazipur		Narayanganj		Total	
	N	%	N	%	N	%	N	%
Single	127	8.4	38	5.0	34	4.6	199	6.6
Two	961	63.6	529	69.5	408	55.1	1898	63.0
Three	315	20.8	130	17.1	184	24.8	629	20.9
Four	87	5.8	56	7.4	106	14.3	249	8.3
Above four	22	1.5	8	1.1	9	1.2	39	1.3
Total	1512	100.0	761	100.0	741	100.0	3014	100.0

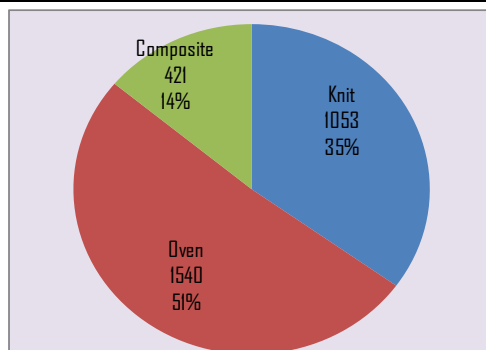
Source: Field Survey 2018-19

## Work and Workplace Related Information

### Type of factory

Majority (51%) of the respondent women works in woven factories. Women workers working in knit and composite factories are 35 % and 14% respectively (Chart 2.3).

Chart 2.3: Factory types



Area wise factory types

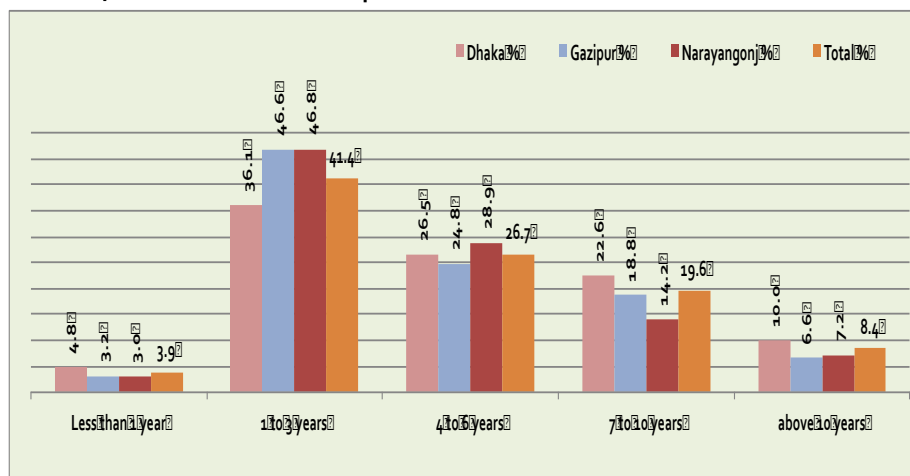
	Dhaka		Gazipur		Narayanganj	
	N	%	N	%	N	%
Knit	285	18.8	343	45.1	425	57.4
Oven	1047	69.2	225	29.6	268	36.2
Composite	180	11.9	193	25.4	48	6.5
Total	1512	100	761	100	741	100

Source: Field Survey 2018-19

### Work experience in RMG sector

Average work experience in RMG sector is not so long, 4.96 years. The largest section (41%) has 1-3 years' experience. 27% workers have been working in RMG sector for 4-6 years, and 20% for 7-10 years. Only 8% workers have more than ten years of working experience in RMG sector (Chart 2.4).

Chart 2.4: RMG Sector Work Experience

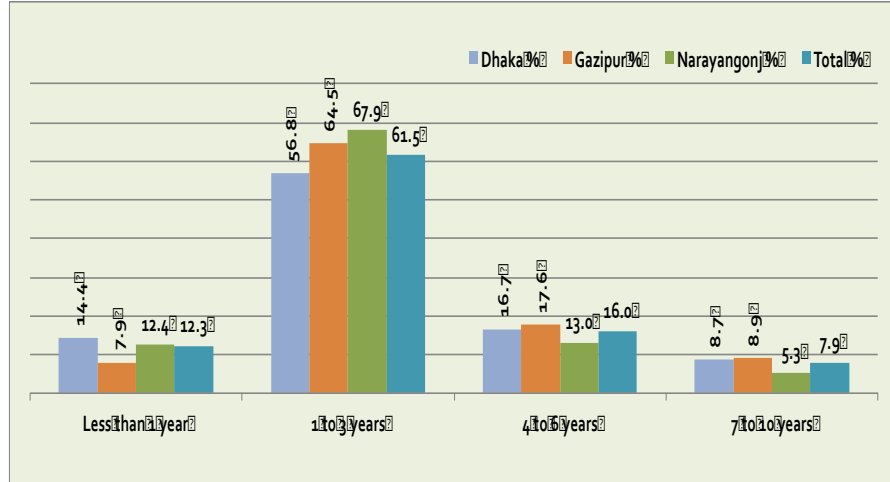


Source: Field Survey 2018-19

### Work-length in the current workplace

Chart 2.5: Years of engagement at current factory

At the current/present factory, the average work experience of the workers is 2.84 years, where the largest contingent (62%) of all workers have been working for 1-3 years, and 16% workers have 4-6 years' experience. Only 10% workers have been found who have more than 6 years' experience at their respective current factories (Chart 2.5).

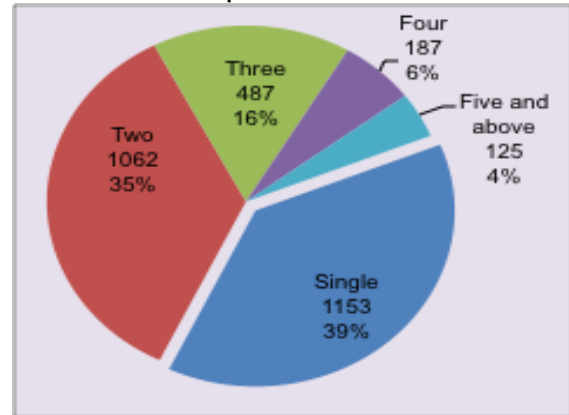


Source: Field Survey 2018-19

### Number of factories worked in work-life

Majority (62%) of the women have experience of work in multiple factories in their total work-life in RMG. Of these workers 35% have worked in two factories and 16% in three factories. Besides, 10% workers have experience of working in four and more factories. Generally, the reasons of factory change are manifold. A recent study shows that the most general reason behind factory change is to improve their position and wage. Women also change factory with desire of having a decent workplace where they mainly consider workload/production pressure, working hours (especially night duty), and behavior of staffs (Ahmed, 2018). Only little over one-third of the workers (38%) have worked in a single factory (Chart 2.6).

Chart 2.6: Work experience in number of factories



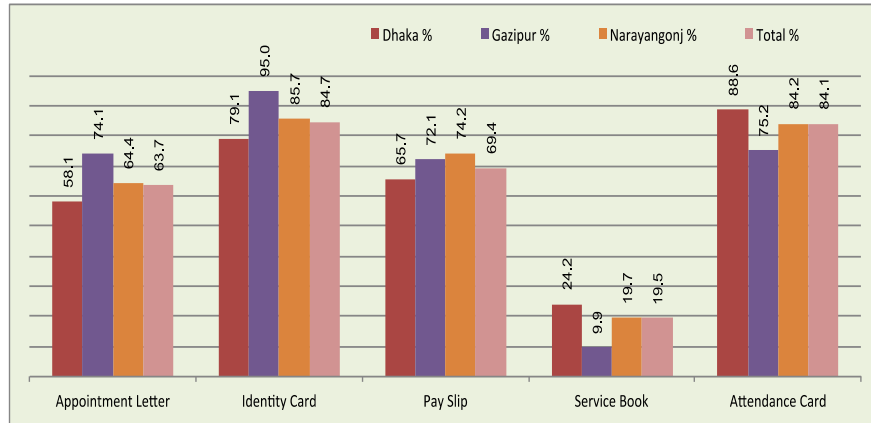
Source: Field Survey 2018-19

### Working Conditions of the Factories

#### Employment Contract:

Chart 2.7: Availability of employment related documents

The protection to workers afforded by the BLA is applicable to all RMG workers who are employees and have an identifiable employer with whom they have an employment relationship. It provides numerous provisions on contractual arrangements e.g., appointment letter and



Source: Field Survey 2018-19

identity card, service book, employee register, as well as detailed guidelines on job termination both by workers and employers. Under the law, it is compulsory for every employer to issue appointment letter and identity card with photograph to all workers (BLA 2006: Section 5), and maintain a register of workers (BLA 2006: Section 9). The employers at their own cost should maintain service books for workers (BLA 2006: Section 6). However, Violation of employment contract related provisions are evident. Among several employment contract related provisions service book is the least implemented, and in contrast, attendance card and identity card is the most implemented (Chart 2.7).

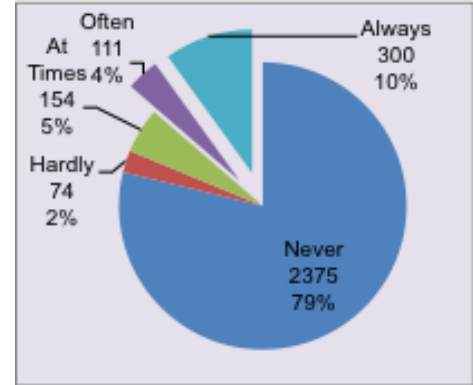
## ***Wage and benefits***

Several international conventions, covenants, and recommendations have made provisions to ensure fair wage and benefits for the working people. The Universal Declaration of Human Rights states that all workers have the right to just and favorable remuneration ensuring for themselves and their families an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection (Article 23.3). According to ILO Convention 131, states are required to establish or maintain a system of minimum wages that covers all groups of wage earners and is to be fixed and adjusted from time to time (Article 4). Bangladesh's labour law defines wages to include other benefits, and elaborates procedures of wage fixation (Chap. XI). The law specifies the period of wages, and has provided clear guidelines on the payment schedule (BLA sec. 123). The Law includes the provision that the period of wages must not exceed thirty days, and wages should be paid within the expiry of seven working days after the last day of wage period. The law has made obligatory for employers to provide all remuneration on a regular and timely manner.

Chart 2.8: Due Wages and Overtime

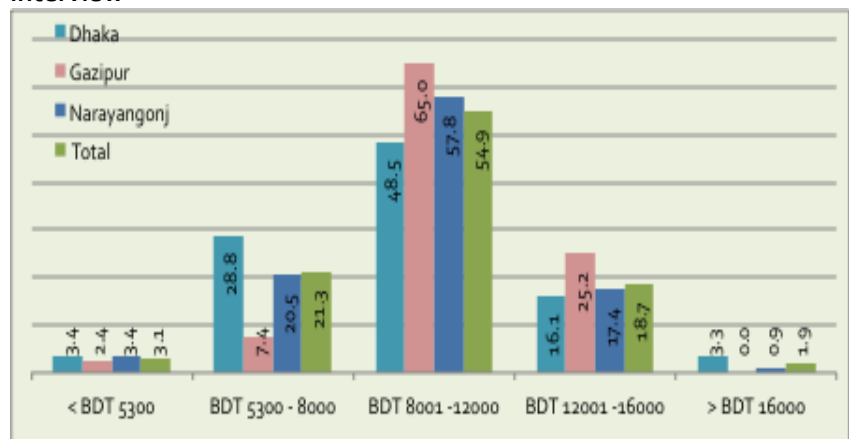
The field survey reveals that for wages and overtime are paid regularly for most workers. 79% workers claimed that their wages and overtime allowances are never delayed. However, 21% women workers report that wage and overtime is kept due—often or always. Where wage is kept due always is reported by 10% of workers (Chart 2.8).

As per the BLA 2006, the Minimum Wage Board established for the RMG sector, declare seven-grade wage structure for the sector workers. The latest declaration was in 2018, and the minimum wage for the sector (seventh grade) was set at BDT 8000. In preceding month of this survey average personal income, including the income from overtime, of women workers was BDT 9972.43. More than half (55%) of the women’s income was BDT 8001-12000. 24% worker earned maximum amount of BDT 8000. 21% workers’ had personal income over BDT 12,000 (Chart2.9).



Source: Field Survey 2018-19

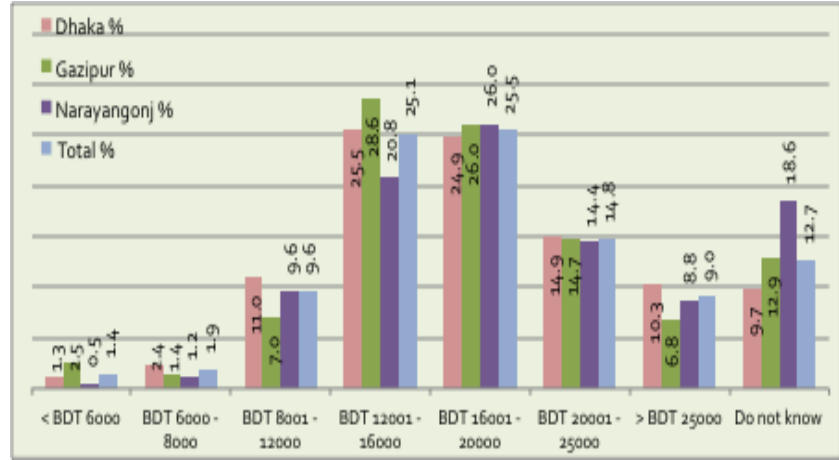
**Chart 2.9: Respondents’ total personal income in last month prior to interview**



Source: Field Survey 2018-19

**Chart 2.10: Respondents’family expenditure in month prior interview**

Although a significant part of personal income comes from overtime payment, knowledge among the women workers about calculation of overtime compensation is poor. 55% women do not know the calculation method of overtime. Also, Nearly half (45%) do not get due (and timely) festival bonus, claimed the workers.



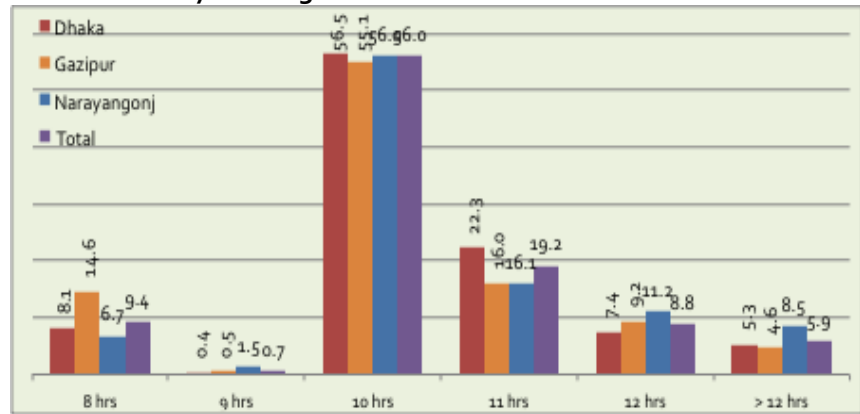
Source: Field Survey 2018-19

In the preceding month of this survey workers' monthly average family expenditure was BDT 17639.94. Within the range of BDT 12001 to 20000 was the monthly family expenditure of 51% workers. 24% workers had expenditure over BDT 20,000. About 13% workers' family expenditure was less than BDT 12,000 (Chart 2.10).

### Working hour, leave and rest

The violation of national legal provisions and international norms is widely marked. Average working hour is 10.37 hours. Majority (56 %) of the workers work 10 hours daily. One-third (34%) workers work more than 10 hours every day (Chart 2.11). Whereas, according to Bangladesh Labour Law, the general working hours for the RMG workers are 8 hours per day, and including overtime hour it would be 10 hours per day. However, the average working hour per week must not be exceeded more than 56 hours in a year under any circumstances (BLA 2006: Section 100 & 102).

Chart 2.11: Daily working hours



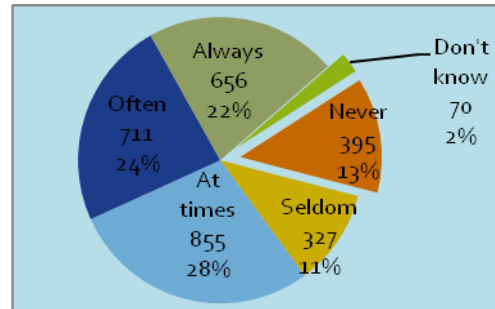
Source: Field Survey 2018-19

Therefore, the existing practice in areas of daily working hour shows significant violation of legal norms.

Chart 2.12: Mandatory Overtime



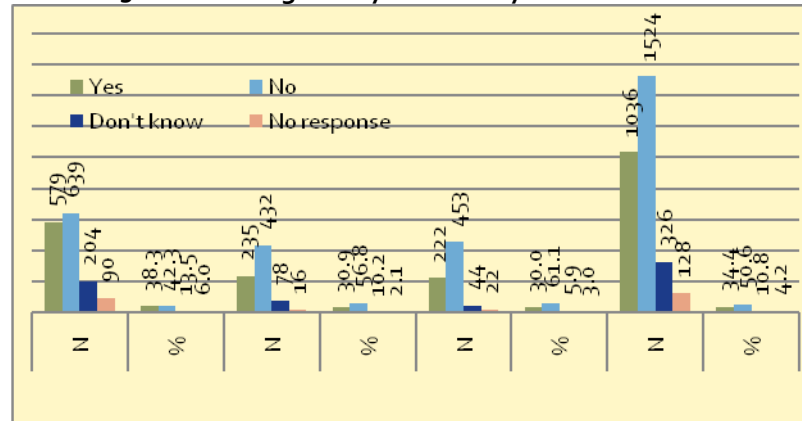
This violation is more prominent in case of overtime hours. As evident, 34% of workers work beyond the legal limit – 10 hours. In fact, 92% of workers do overtime work. This overtime is hardly for the choice of the workers; rather the field survey reveals that for 12% of workers, overtime is mandatory. 14% and 18% workers respectively claim that their overtime hours are often or at times mandatory. Only 13% workers claimed that they are never forced to overtime hours (Chart 2.12).



Source: Field Survey 2018-19

The violation of rights related to working hours is also prominent for women workers in particular. According to Bangladesh labour law, no female worker should be allowed to work without her consent between the hours of 10 pm and 6 am; and no young worker should be permitted to work in any establishment between the hours of 7 pm and 7 am (BLA 2006, Sec. 109 & 41.3).

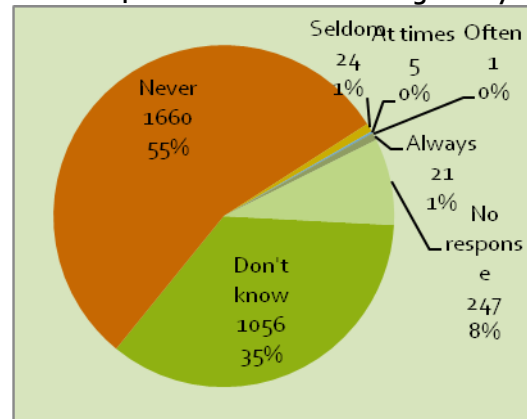
Chart 2.13: Whether night duty mandatory for women?



Source: Field Survey 2018-19

Nevertheless, night duty is mandatory for over one-third of the women workers (34%) (Chart 2.13). In other words, when night duty is scheduled these workers are left with not options but to do night duty. There are workers who lack awareness in this regard; about 4% workers do not know whether night duty is mandatory (Chart 2.13).

Chart 2.14: Women's consent for night duty



Source: Field Survey 2018-19

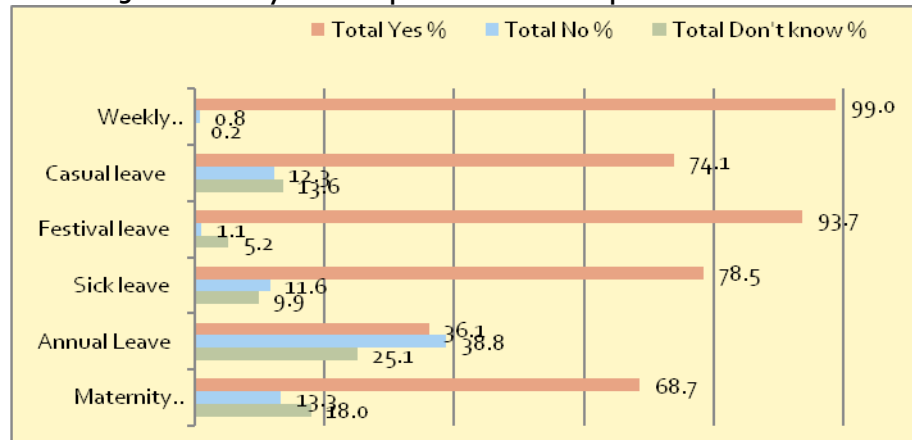
Lack of awareness has also been among many workers regarding practice of taking written consent from workers for night duty. However, largest segment of the workers claim that employers never take written consent from them (Chart 2.14).

The Bangladesh Labour Act provides that the workers have the right to receive an hour interval for over six-hours work a day, half an hour interval for more than five-hours work a day and one hour interval once or half an hour interval twice for more than eight hours work a day (BLA 2006: Sec. 101). Violation in this regard has not been observed. Over nine in ten workers do not get rest during working hours except the lunch break which is often not for a full hour.

There is wide variation of in practice of leave provisions. In terms of leave provision, the BLA 2006 ensures one-day weekly holiday, 10 days casual leave, 11 days of paid festival leave, annual leave (one day for each 18 days and after completion of one year of continuous service), 14 days of sick leave, and for female workers 16 weeks of maternity leave. This study finds that

among several types of leave weekly holiday is the mostly enjoyed (99% claimed to have received weekly holidays). Many workers are even unaware about the practice of leave at their workplaces. 74% workers get casual leave, whereas 14% workers do not know whether casual leave is given. 94% get festival leave (religious festivals) but claim to have no relation with government holidays except May Day. 79% workers get sick leave, however many claim that it is not paid leave. 36% workers get annual leave, however many of them informed that they are paid money instead of leave. 79% workers get maternity leave, and 18% workers lack awareness on availability of maternity leave at their respective workplaces Chart 2.15).

**Chart 2.15: Availability of leave provisions at workplace**



Source: Field Survey 2018-19

## ***Safety at Work***

### **Safety equipment and facilities**

Workers engaged in garment sector are prone to various types of occupational risks and accidents. The rights provisions related to safety equipment and facilities are reflected in the law provisions on fire safety, protective kits (Gloves, masks, helmets), and safety of buildings and machineries. Each employer is obliged to take measures to protect workers from dangers and damage due to fire. The measures include at least one stair for emergency exit, availability of fire extinguisher and one fire extinction drill in a year (if 50 or more workers are employed) (BLA 2006: Section 62). The BLA however states that the floors, stairs, passages and gangways of the establishment should be of sound construction and properly maintained, and all floors, and stair way should be clean, wide and clear of all obstruction (Section 72). There is other

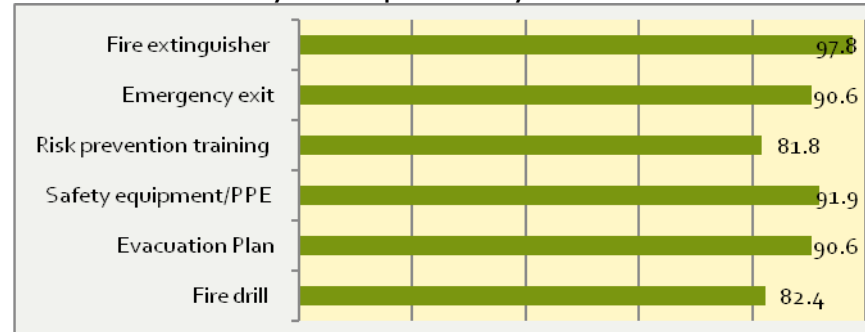
safety related provisions that include protection of eyes (Section 75), precautions against dangerous fumes (BLA 2006: Section 77), and explosive or inflammable dust, and gas (BLA 2006: Section 78). Present study reveals that not all employers generally do provide workers with information regarding risks at workplace. One in every four workers (25%) claims that their employers do not inform workers in this regard.

RMG workers who have faced/ observed accidents of different sorts, minor to major e.g., pricking of needle during work, cutting finger or hand, fracturing leg and fracturing hand, and fire at workplaces. 41% workers have this experience observing some sort of accidents that took place either for her/him or to other peers. There are also workers, though few (7%), who don't know whether any accident took place at their workplaces.

In terms of ensuring workplace safety, most workplaces maintain/have made available different facilities/arrangement. However, it also true that still some factories have not made sufficient arrangement.

98% women claim workplaces have fire extinguishers. About 8% percent workers' workplaces do not have emergency exits. 16% workers' do not get risk prevention training. Personal protective equipment (PPE) like musk, gloves, and needle

**Chart 2.16: Availability of workplace safety measures**



Source: Field Survey 2018-19

guards is available at 92% workplaces. Evacuation plan is available at 91% workplaces. About 18% workplaces do not arrange fire drill (Chart 2.16).

### Availability of safety committee

Although workplaces have to have safety committees according to Bangladesh Labour Act, violation of legal provision is noticed in numerous workplaces. 14% workers have informed that employers had not formed safety committees at their workplaces. Lack of awareness among workers about safety committee is also significant. 21% workers do not know whether safety committees exist at workplaces. While 64% workers claimed that their respective factory has safety committee in place, but only 22% respondents claimed that they have witnessed some work being carried out by safety committee or its members.

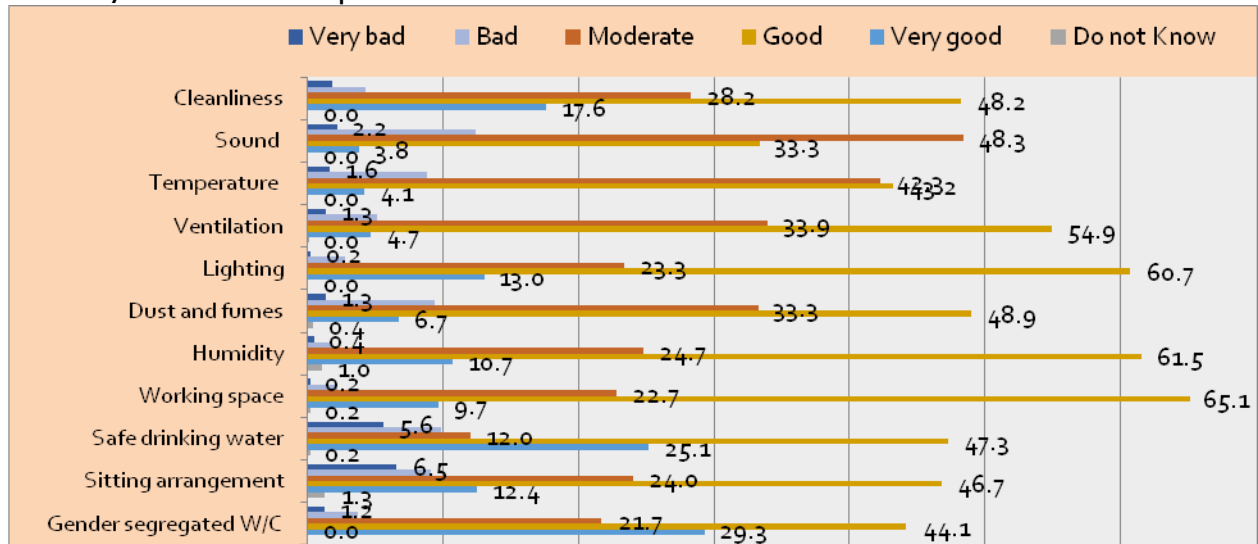
### Workplace environment

The workplace environment related rights provisions are reflected in detailed law provisions on cleanliness, noise, temperature, ventilation, lighting, dust and fumes, humidity, working space, pure drinking water, and gender segregated toilet. According to law, every establishment should be kept clean and free from effluvia arising out of any drain, privy or other nuisance (BLA 2006: Section 51). Every employer is required to make effective and suitable provisions for securing and maintaining adequate ventilation, comfortable temperature, and sufficient

and suitable lighting (Section 52 and 57). The workroom of an establishment should not be such overcrowded that is injurious to the health of workers (Section 56). Every establishment should provide sufficient supply of pure drinking water at a convenient place (Section 58) and arrange sufficient number of separate toilets for male and female workers (Section 59).

Respondents of this study have diverse opinion on condition of different factors e.g., cleanliness, sound, temperature, ventilation, lighting, dust and fumes, humidity, working space, sitting arrangement, and availability of safe drinking water and gender segregated washroom that the workplace environment entails. The largest segment of the workers in each case perceives that the conditions of various factors are good except for sound. The biggest proportion of respondents considers condition of sound is moderate (see Chart 2.17).

**Chart 2.17: condition of workplace environment related factors**

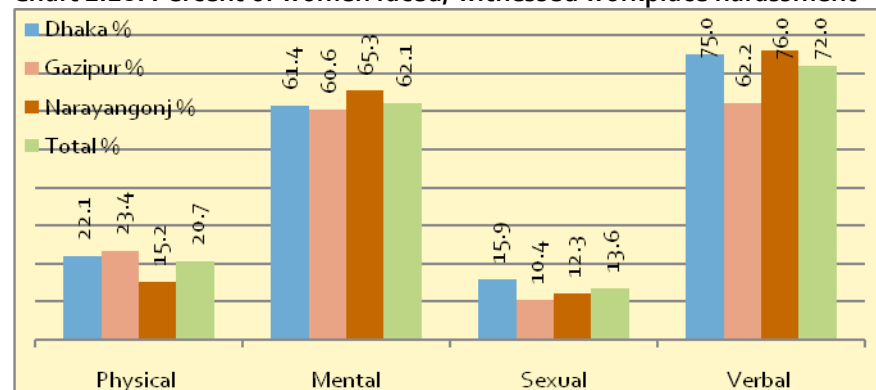


Source: Field Survey 2018-19

### ***Workplace harassment and discrimination***

Workplaces of the women workers are not free from harassment. It must be noted that The Bangladesh Labour Act (BLA) does not explicitly address the issue sexual harassment and violence. However, it states that no one in an establishment shall behave with female workers in a way that may appear indecent or repugnant to the women’s modesty or honour (Section 332). Under the penal laws of Bangladesh, criminal force or assault and rape and sexual oppression have

**Chart 2.18: Percent of women faced/ witnessed workplace harassment**

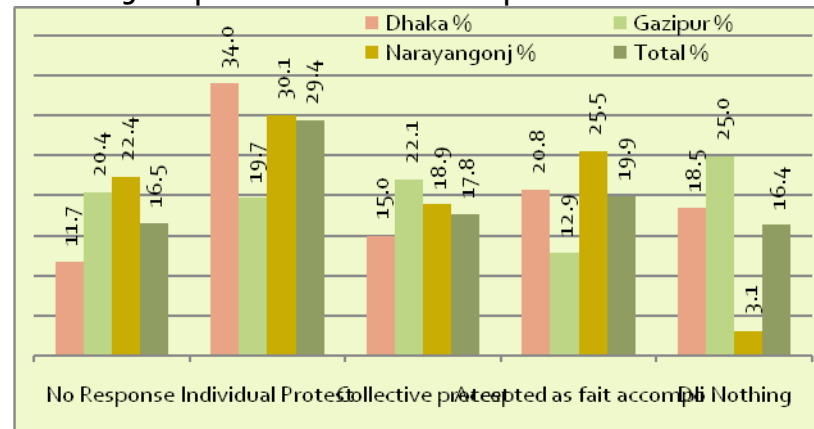


Source: Field Survey 2018-19

been made punishable offences (Penal Code, Sections 349 –358, 375 & 376). The field survey reveals that women workers experience different forms of harassment at workplace. Of the different forms verbal abuse/harassment is the most common one. Nearly one in every four (72%) women workers reported verbal harassment. Nearly one-third (62%) women talked about psychological harassment. Physical harassment has been reported by one in every five women (21%) workers. Sexual harassment has been noticed by about 14% workers (Chart 2.18).

Workers' responses are diverse against the harassment/violences despite the fact that many workers do not protest and accept those as their fate, and many even unaware in this regard. 29% women have informed that workers protest individually and 18% workers have talked about 'collective protest' in cases of harassment. 36% women claim that workers do not protest as they accept the harassment as their fate. On the other hand, 17% women do not know what workers do in responses to the harassment/violence (Chart 2.19).

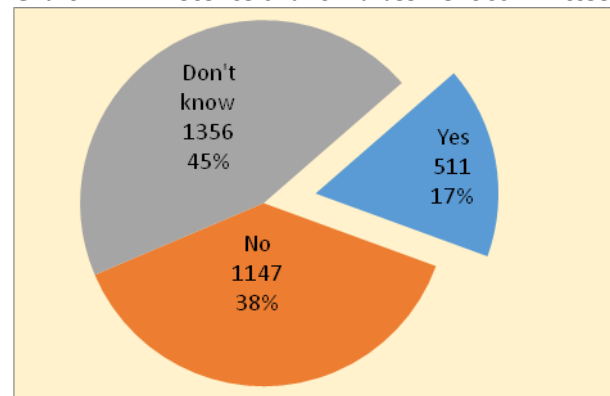
**Chart 2.19: Responses of women to workplace harassment**



Source: Field Survey 2018-19

Despite having evidences/existences of harassment of different forms most workplaces lack anti-harassment committee. Majority workers (73%) either do not know whether anti-harassment committee exists at their respective workplaces or confirm that such committees do not exist (Chart 2.20). Only 17% respondents confirm that their respective factories have anti-harassment or harassment complaint committees. The non-availability of anti-harassment committee is also a violation of the Bangladesh supreme court directive to form harassment complaint committee at every workplace.<sup>2</sup>

**Chart 2.20: Existence of anti-harassment committee**



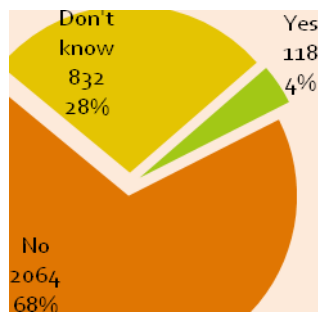
Source: Field Survey 2018-19

<sup>2</sup>The High Court Division of the Supreme Court on May 13, 2009 issued a set of guidelines defining sexual delinquency to prevent any kind of physical, mental or sexual harassment of women, girls and children at their workplaces, educational institutions and other public places including roads across the country. The court directed the concerned authorities to form a five-member harassment complaint committee headed by a woman at every workplace and institution to investigate allegations of harassment of women. According to the HC rule, majority of the committee members must be women.

Employers mostly do not provide women workers with any transport facility when they do the night duty, even many workers are not aware of this issue. 69% workers claim that they do not get such facility. Only 4% workers have reported availability of this facility, and rest of the workers (28%) do not know whether the authority provides such facility (Chart 2.21).

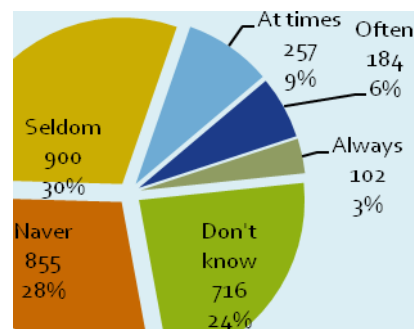
Discriminatory practice with regard to promotion of women in upper position is widespread. 73% workers report discrimination in this regard. Only 9% workers perceive they are treated equally for promotion (Chart 2.22). However, the matter of concern is that large number of workers (24%) are not aware or haven't any thoughts whether such issues are to be concerned of.

Chart 2.21: Availability of transport facilities during night duty



Source: Field Survey 2018-19

Chart 2.22: Equal opportunity for promotion vis a vis men



Source: Field Survey 2018-19

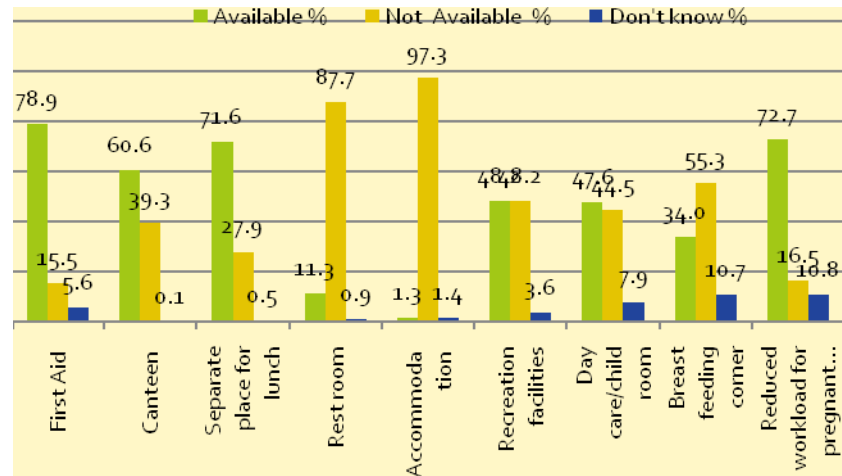
### ***Welfare provisions at workplaces***

Welfare provisions are being implemented/available at varied degree at the workplaces. Bangladesh's labour law has covered numerous provisions of general welfare. For example, the law has stated that every employer is required to provide (a) equipped first aid boxes or shelf (one for every 150 workers), and equipped dispensary with a patient-room, doctor and nursing staff where 300 or more workers are employed (BLA 2006: Section 89); (b) canteen facility where more than 100 workers are employed (Section 92); (c) adequate and suitable restrooms for use of workers where fifty or more workers are employed (Section 93); and (d) children room for the children of under six years of age, wherein forty or more female workers are working (Section 94).

However, women workers for any of the several welfare-related provisions/facilities have not reported 100% availability. Important to note, first aid, separate place for lunch, and canteen facility are more available facilities; whereas accommodation, restroom, breast-feeding corner are less available facility. The field study reveals that 79%, 60%, and 72% women reported respectively the availability of first aid, canteen, and separate place for lunch. Only little over 1% workers claimed availability of accommodation facility. 48% notice unavailability of recreation facility. Day-care is absent at workplaces of 44% workers. Breast-

feeding corner is available at 34% workplaces. 73% workers claim that workload is reduced for pregnant workers. 32% claim to have special treatment (e.g. work-break, reduced workload, supply of medicine) during pregnancy.

Chart 2.23: Availability of general welfare measures at workplaces



Source: Field Survey 2018-19

Gender sensitive issues are also not realized always. Majority (60%) of the women report that they do not get any special treatment/facility during the menstruation. And 8% do not know whether

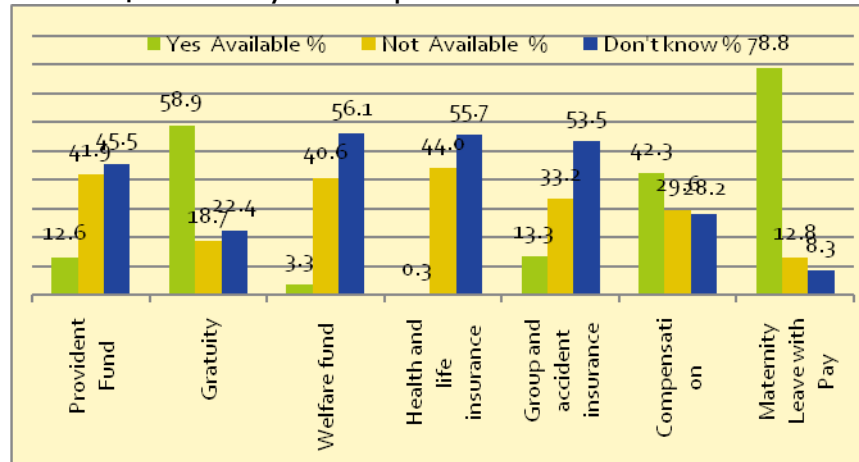
any facility is available at workplace. Less than one-third have informed the availability of some arrangement/facility that include early-leave (13%), work-break/rest (5%), reduced workload (5%), sitting arrangement (9%), providing medicine (11%). Although women constitute the majority of workforce in RMG, not at all workplaces female doctors are available to provide treatment. 20% women claim that at their workplaces employers have not arranged female doctors.

### ***Social protection measures***

Bangladesh's labour law has provisions in the areas of insurance, compensation, and maternity benefits, but no specific provisions on pension. Instead, two other provisions intending to provide social security benefits to workers are provident fund, and gratuity. The provision of gratuity is however optional under the provision of law. The provision of provident fund is subject to numerical bindings—at least three fourth of the total workers of any factory/establishment require to submit an application to their employer requesting to form provident fund (BLA 2006: Section 264). The introduction of group insurance too is dependent on the number of workers—may be formed where minimum 200 permanent workers employed. The social security provisions have also been subjected to time bindings as preconditions to receive benefits. In case of maternity benefit, at least six-month long continuous work is needed to receive maternity benefit from the employer, and three-year long continuous service is needed to get the benefit to family of deceased worker (Section 19). The law does not include provisions of medical care as part of the maternity protection and benefit, similar to ILO standards. No specific provisions are there on treatment and rehabilitation, and alternative skill development for workers. Furthermore, the rights provisions on compensation are narrow. A worker gets BDT 250,000 as compensation for complete permanent impairment and BDT 200,000 for death.

This study finds that women workers are mostly deprived of social protection related facilities at workplace. High prevalence of ignorance/unawareness among workers concerning the social protection facilities is a striking feature in this regard (Chart 2.24). Provident fund is absent at workplaces of two-third (52%) workers, and 35% are not aware in this regard. Welfare fund is absent for 48% workers, and 45% have no idea. Only 13% factories have provisions of provident fund in their factories. 53% workers have reported absence of health and life insurance facility; 47% workers report the unavailability of group insurance; and 52% do not know whether the facility is available. 45% workers claim the unavailability of accident insurance; and 47% are unaware. About 59% claim that gratuity is given; 22% are unaware in this regard. 39% claim that compensation is not given; 33% are not aware. Most available social welfare measure is maternity leave with pay, although with varied rate of pay calculation. Maternity leave with pay is available at workplaces of 71% workers; 14% have no idea whether such benefits are provided to women.

**Chart 2.24: Availability of social protection measures**



Source: Field Survey 2018-19

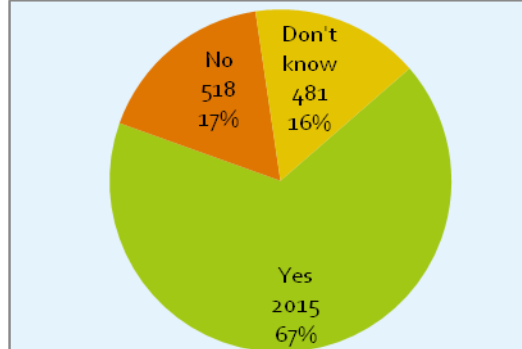
### ***Workers' organization at workplace***

Bangladesh's labour law has provided the right of every worker to form and join trade union by their own choice. Every worker employed in any establishment is entitled to form and join trade union, by their own choice (Section 176). The trade unions of workers have the right to form and join in a federation of their trade unions and such unions and federations are permitted to affiliate with any international organization and confederation of trade unions (Section 176 C). The trade unions have the right to draw up their own constitution and rules, to elect their representatives, and organize their administration and activities and formulate their programs (Section 176 d). The law has also provision on participation committee, and safety committee. According to BLA, every employer is obliged to set up a participation committee at the workplace where fifty or more workers are employed (BLA Sec. 205. 1; BLR 183). If any establishment has any unit where at least fifty workers are generally engaged, on the basis of recommendation of the participation committee, a unit participation committee may be formed as per law [Sec. 205 (7)]. Regarding the safety committee, it is mandatory in every factory/ industrial establishment where 50 or more workers are employed. The Committee can also be set up in factories with less workers (BLA; 81 & BLR84).



This study finds that workers' organization/committees of different forms are available at workplaces of majority workers (67%). There is lack of awareness also regarding the availability of organization/association. Many workers (16%) do not know whether organizations/committees exist at workplace (Chart 2.25).

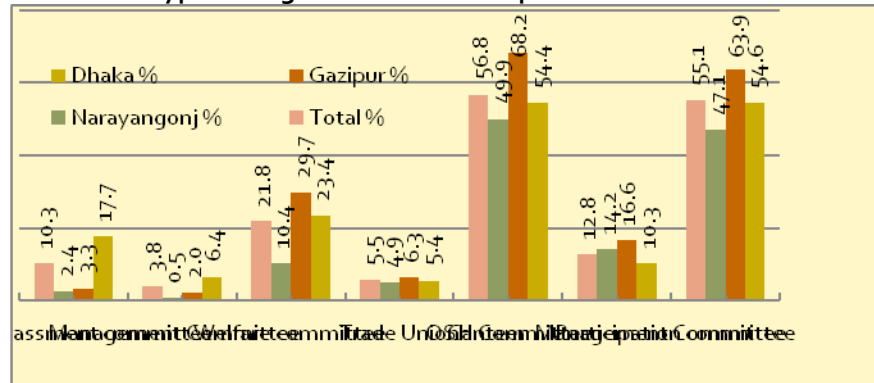
Chart 2.25: Availability of workers' organizations



Source: Field Survey 2018-19

Among different committee/associations availability of OSH/safety committee is the most frequent (57%), followed by participation committee (55%). Trade unions are least available workers' association at workplaces (Chart 2.26).

Chart 2.26: Types of organizations at workplaces



Source: Field Survey 2018-19

Trade union is available at workplaces of only 6% workers. Nonetheless, Women workers mostly are not members of the organization/committees available at workplaces. Only 16% of workers have claimed to be associated with any of these workers' associations.

### **3. Advocacy Pointers**

#### **Strengthening labour regulation by making it more women-friendly:**

Women RMG workers are more susceptible to deprivation and exploitation in terms of their rights and benefits. It is thus a dire need to bring about necessary changes/amendments in the labour Act so that it realizes the gender and women workers' issues adequately and becomes more women-friendly. In this connection the labour law in particular should address the issues of sexual harassment, night duty, length of maternity leave, special treatment during menstruation, and proportional representation.

#### **Workplace with explicit promotion/ up-gradation policy:**

Large majority (73%) of women workers report the discriminatory practices with regard to scope of promotion. Male workers occupy the upper positions like supervisor, line-chief, in-charge etc.. Therefore, workplace should have appropriate policies that would show the career path to the women workers.

#### **Formation of anti-harassment committee:**

Although most women workers face harassment of different forms only few (17%) workers have reported availability of any committee to address the issues. Many (36%) women even consider harassment as their fate. Effective anti-harassment committee with appropriate representation of women workers should be formed at every workplace.

#### **Increasing rights awareness among workers:**

Lack of workers' awareness on rights and its implementation and availability of facilities have been evident in many cases (e.g. overtime calculation, consent for night duty, workers' organization, safety committee). Making women workers aware ultimately will make them capable to claim their rights as well as achieve decent workplace.

#### **Establishing decent work thresholds and strong social protection measures:**

For garment workers, social protection coverage must be expanded with special focus on pension, accommodation, and appropriate compensation mechanism. Decent minimum (living) wage thresholds, and employment and accident insurance need to be established

#### **Holding employers responsible for workers:**

It is the employers who must be held responsible for the workplace standards they control be it directly or indirectly. Being the authority of the workplaces they cannot avoid/ignore the responsibility. Responsibility must be upheld for violations of standards and devising strategies for evading legal obligations

#### **Ensuring enforcement of law:**

Government must take appropriate measures for enforcement of the legal provision. Sincere efforts are needed from the side of the government. In this regard pro-active "investigation

driven" enforcement rather than reacting to complaints (as in fire-brigade approach) should be introduced.